

I certify this to be a true and correct
copy of the indicated document as
referred or transmitted to committee.

Chief Clerk of the House

By: Norma Chavez

FILED FEB 15 2005

H.B. No. 1107

A BILL TO BE ENTITLED

AN ACT

relating to procedures for obtaining relief from local matching
funds requirements for highway projects.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 222.053, Transportation Code, is amended
by adding Subsections (f) and (g) to read as follows:

(f) The commission shall certify a county as an economically
disadvantaged county on an annual basis as soon as possible after
the comptroller reports on the economic indicators listed under
Subsection (a). A county certified under this section is eligible
for an adjustment under Subsection (c)(2).

(g) The commission shall determine whether to make an
adjustment under Subsection (c)(2) at the time a political
subdivision that consists of all or a portion of an economically
disadvantaged county submits a proposal to construct, maintain, or
extend a highway or for another type of highway project.

SECTION 2. This Act takes effect September 1, 2005.

HOUSE
COMMITTEE REPORT
1st Printing

05 MAR 31 PM 11: 26
HOUSE OF REPRESENTATIVES

By: Chavez

H.B. No. 1107

Substitute the following for H.B. No. 1107:

By: Phillips

C.S.H.B. No. 1107

A BILL TO BE ENTITLED

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 222.053, Transportation Code, is amended by adding Subsections (f), (g), and (h) to read as follows:

(f) The commission shall certify a county as an economically disadvantaged county on an annual basis as soon as possible after the comptroller reports on the economic indicators listed under Subsection (a). A county certified under this section is eligible for an adjustment under Subsection (c)(2).

(g) The commission shall determine whether to make an adjustment under Subsection (c)(2) at the time a political subdivision that consists of all or a portion of an economically disadvantaged county submits a proposal to construct, maintain, or extend a highway or for another type of highway project.

(h) The commission may delegate any of its duties or powers under this section to the director or the director's designee.

SECTION 2. This Act takes effect September 1, 2005.

COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives

3-31-05
(date)

Sir:

We, your COMMITTEE ON TRANSPORTATION

to whom was referred HB 1107 have had the same under consideration and beg to report back with the recommendation that it

- () do pass, without amendment.
- () do pass, with amendment(s).
- (x) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
- (x) yes () no A fiscal note was requested.
- () yes (x) no A criminal justice policy impact statement was requested.
- () yes (x) no An equalized educational funding impact statement was requested.
- () yes (x) no An actuarial analysis was requested.
- () yes (x) no A water development policy impact statement was requested.
- () yes (x) no A tax equity note was requested.
- (x) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

Joint Sponsors: _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Krusee, Chair	✓			
Phillips, Vice-chair	✓			
Callegari	✓			
Casteel	✓			
Deshotel	✓			
Flores				✓
Hamric	✓			
Hill				✓
West	✓			

Total 7 aye
 0 nay
 0 present, not voting
 2 absent

Mike Krusee
CHAIR

BILL ANALYSIS

C.S.H.B. 1107
By: Chavez
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, local governments within Economically Disadvantaged Counties (EDC) are eligible for an adjustment to the required match for federally funded transportation projects. However, in order to obtain the reduction, the local government must apply for the adjustment for each project. The application is reviewed by TXDOT staff and approved on a quarterly basis by the Texas Transportation Commission (TTC). EDC adjustment approval must be granted prior to the execution of project agreements. This means that there may be potential delays in the implementation of projects, particularly in the very areas where state-developed economic indicators are already reflecting disadvantaged conditions. This proposed certification and procedure change would reduce the staff time spent by each of the local governments in requesting the adjustments and the time that TXDOT staff spends on reviewing, recommending and documenting the requests.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

This Act requires the Texas Transportation Commission to certify a county as an economically disadvantaged county on an annual basis. This Act requires the commission to determine whether to make an adjustment at the time that a political subdivision submits a highway project proposal.

EFFECTIVE DATE

September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The Substitute adds Subsection (h) allowing the Transportation Commission to delegate any of its duties or powers under this section to the director or the director's designee.

SUMMARY OF COMMITTEE ACTION

HB 1107

March 22, 2005 8:00AM

Considered in public hearing

Testimony taken in committee (Legislator(s) only.)

Left pending in committee

March 31, 2005 upon final adjourn./recess

Considered in formal meeting

Committee substitute considered in committee

Recommended to be sent to Local & Consent

Reported favorably as substituted

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 31, 2005

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **HB1107** by Chavez (Relating to procedures for obtaining relief from local matching funds requirements for highway projects.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Transportation Commission to certify annually certain counties as economically disadvantaged and to make a determination as to whether the local matching fund requirement for a political subdivision should be adjusted. The Commission would make the determination at the time a political subdivision, within an economically disadvantaged county, submits a proposal to construct, maintain, or extend a highway project.

Based on the analysis of the Texas Department of Transportation, it is assumed any costs and duties associated with implementing the provisions of the bill could be absorbed within the agency's existing resources.

The bill would take effect on September 1, 2005.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, SR, MW, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 21, 2005

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: **HB1107** by Chavez (Relating to procedures for obtaining relief from local matching funds requirements for highway projects.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Transportation Commission to certify annually certain counties as economically disadvantaged and to make a determination as to whether the local matching fund requirement for a political subdivision should be adjusted. The Commission would make the determination at the time a political subdivision, within an economically disadvantaged county, submits a proposal to construct, maintain, or extend a highway project.

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Source Agencies: 601 Department of Transportation

LBB Staff: JOB, SR, MW, TG

ADOPTED

APR 1 2005

Relief
Chief Clerk
House of Representatives

By: Norma Chavez
Substitute the following for H.B. No. 1107:
By: Phillips C.S. H.B. No. 1107

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(f) The commission shall certify a county as an economically disadvantaged county on an annual basis as soon as possible after the comptroller reports on the economic indicators listed under Subsection (a). A county certified under this section is eligible for an adjustment under Subsection (c)(2).

(g) The commission shall determine whether to make an adjustment under Subsection (c)(2) at the time a political subdivision that consists of all or a portion of an economically disadvantaged county submits a proposal to construct, maintain, or extend a highway or for another type of highway project.

(h) The commission may delegate any of its duties or powers under this section to the director or the director's designee.

SECTION 2. This Act takes effect September 1, 2005.

P

HOUSE ENGROSSMENT

By: Chavez, Pickett

H.B. No. 1107

A BILL TO BE ENTITLED

AN ACT

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(g) The commission shall determine whether to make an adjustment under Subsection (c)(2) at the time a political subdivision that consists of all or a portion of an economically disadvantaged county submits a proposal to construct, maintain, or extend a highway or for another type of highway project.

(h) The commission may delegate any of its duties or powers under this section to the director or the director's designee.

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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 31, 2005

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

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The bill would require the Texas Transportation Commission to certify annually certain counties as economically disadvantaged and to make a determination as to whether the local matching fund requirement for a political subdivision should be adjusted. The Commission would make the determination at the time a political subdivision, within an economically disadvantaged county, submits a proposal to construct, maintain, or extend a highway project.

Based on the analysis of the Texas Department of Transportation, it is assumed any costs and duties associated with implementing the provisions of the bill could be absorbed within the agency's existing resources.

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Source Agencies: 601 Department of Transportation

LBB Staff: JOB, SR, MW, TG

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 21, 2005

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

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The bill would require the Texas Transportation Commission to certify annually certain counties as economically disadvantaged and to make a determination as to whether the local matching fund requirement for a political subdivision should be adjusted. The Commission would make the determination at the time a political subdivision, within an economically disadvantaged county, submits a proposal to construct, maintain, or extend a highway project.

Based on the analysis of the Texas Department of Transportation, it is assumed any costs and duties associated with implementing the provisions of the bill could be absorbed within the agency's existing resources.

The bill would take effect on September 1, 2005.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, SR, MW, TG

1-1 By: Chavez, Pickett (Senate Sponsor - Shapleigh) H.B. No. 1107
1-2 (In the Senate - Received from the House April 18, 2005;
1-3 April 19, 2005, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 19, 2005, reported
1-5 favorably by the following vote: Yeas 8, Nays 0; May 19, 2005,
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to procedures for obtaining relief from local matching
1-10 funds requirements for highway projects.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 222.053, Transportation Code, is amended
1-13 by adding Subsections (f), (g), and (h) to read as follows:

1-14 (f) The commission shall certify a county as an economically
1-15 disadvantaged county on an annual basis as soon as possible after
1-16 the comptroller reports on the economic indicators listed under
1-17 Subsection (a). A county certified under this section is eligible
1-18 for an adjustment under Subsection (c)(2).

1-19 (g) The commission shall determine whether to make an
1-20 adjustment under Subsection (c)(2) at the time a political
1-21 subdivision that consists of all or a portion of an economically
1-22 disadvantaged county submits a proposal to construct, maintain, or
1-23 extend a highway or for another type of highway project.

1-24 (h) The commission may delegate any of its duties or powers
1-25 under this section to the director or the director's designee.

1-26 SECTION 2. This Act takes effect September 1, 2005.

1-27 * * * * *

FAVORABLE
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 1107
By Chavez/Shadeigh
(Author/Senate Sponsor)
May 19, 2005
(date)

TRANSPORTATION AND HOMELAND
SECURITY

We, your Committee on _____, to which was referred the attached measure,
have on May 18, 2005, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

☒ do pass and be printed

☐ do pass and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Staples, Chairman	<input checked="" type="checkbox"/>			
Senator Barrientos, Vice-Chairman	<input checked="" type="checkbox"/>			
Senator Brimer	<input checked="" type="checkbox"/>			
Senator Ellis	<input checked="" type="checkbox"/>			
Senator Lindsay	<input checked="" type="checkbox"/>			
Senator Madla			<input checked="" type="checkbox"/>	
Senator Shapiro	<input checked="" type="checkbox"/>			
Senator Shapleigh	<input checked="" type="checkbox"/>			
Senator Wentworth	<input checked="" type="checkbox"/>			
TOTAL VOTES	8		1	

COMMITTEE ACTION

S260 Considered in public hearing
S270 Testimony taken

[Signature]
COMMITTEE CLERK

[Signature]
CHAIR

Paper clip the original and one copy of this signed form to the original bill
Retain one copy of this form for Committee files

WITNESS LIST

HB 1107

SENATE COMMITTEE REPORT

Transportation & Homeland Security

May 18, 2005 - 8:00AM

Registering, but not testifying:

On: Saenz, Amadeo Asst. Exec. Dir. of Engineering Operations (Texas Department of Transportation), Austin, TX

BILL ANALYSIS

Senate Research Center
79R11134 MTB-D

H.B. 1107
By: Chavez (Shapleigh)
Transportation & Homeland Security
5/16/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

H.B. 1107 allows local governments within the identified economically disadvantaged counties status to be certified on an annual basis or as soon as possible after the comptroller of public accounts publishes the indicators.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 222.053, Transportation Code, by adding Subsections (f), (g), and (h), as follows:

(f) Requires the Texas Transportation Commission (commission) to certify a county as an economically disadvantaged county, as specified. Provides that a county certified under this section is eligible for an adjustment under Subsection (c)(2).

(g) Requires the commission to make a determination regarding adjustments under Subsection (c)(2), as specified.

(h) Authorizes the commission to delegate any of its duties or powers under this section to the director of the commission or the director's designee.

SECTION 2. Effective date: September 1, 2005.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 16, 2005

TO: Honorable Todd Staples, Chair, Senate Committee on Transportation & Homeland Security

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB1107 by Chavez (Relating to procedures for obtaining relief from local matching funds requirements for highway projects.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Transportation Commission to certify annually certain counties as economically disadvantaged and to make a determination as to whether the local matching fund requirement for a political subdivision should be adjusted. The Commission would make the determination at the time a political subdivision, within an economically disadvantaged county, submits a proposal to construct, maintain, or extend a highway project.

Based on the analysis of the Texas Department of Transportation, it is assumed any costs and duties associated with implementing the provisions of the bill could be absorbed within the agency's existing resources.

The bill would take effect on September 1, 2005.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 601 Department of Transportation

LBB Staff: JOB, SR, MW, TG

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 31, 2005

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB1107 by Chavez (Relating to procedures for obtaining relief from local matching funds requirements for highway projects.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Transportation Commission to certify annually certain counties as economically disadvantaged and to make a determination as to whether the local matching fund requirement for a political subdivision should be adjusted. The Commission would make the determination at the time a political subdivision, within an economically disadvantaged county, submits a proposal to construct, maintain, or extend a highway project.

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LBB Staff: JOB, SR, MW, TG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 21, 2005

TO: Honorable Mike Krusee, Chair, House Committee on Transportation

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB1107 by Chavez (Relating to procedures for obtaining relief from local matching funds requirements for highway projects.), **As Introduced**

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The bill would require the Texas Transportation Commission to certify annually certain counties as economically disadvantaged and to make a determination as to whether the local matching fund requirement for a political subdivision should be adjusted. The Commission would make the determination at the time a political subdivision, within an economically disadvantaged county, submits a proposal to construct, maintain, or extend a highway project.

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Source Agencies: 601 Department of Transportation

LBB Staff: JOB, SR, MW, TG

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that HB 1107, by Chavez/Shapleigh,
(Bill No.) (Author/Sponsor)

was heard by the Committee on Transportation & Homeland Security on May 18,
2005,

and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.


(Clerk of the reporting committee)

IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

ENROLLED

H.B. No. 1107

AN ACT

relating to procedures for obtaining relief from local matching funds requirements for highway projects.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 222.053, Transportation Code, is amended by adding Subsections (f), (g), and (h) to read as follows:

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(g) The commission shall determine whether to make an adjustment under Subsection (c)(2) at the time a political subdivision that consists of all or a portion of an economically disadvantaged county submits a proposal to construct, maintain, or extend a highway or for another type of highway project.

(h) The commission may delegate any of its duties or powers under this section to the director or the director's designee.

SECTION 2. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 1107 was passed by the House on April 14, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 1107 was passed by the Senate on May 24, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

President of the Senate

Speaker of the House

I certify that H.B. No. 1107
(1) was passed by the House
on April 14
(2), 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 1107
(3) was passed by the Senate
on May 24
(3), 2005, by the following vote:
Yeas 31
(4), Nays 0
(5).

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: CT26

for chief clerk use only

Bill or Resolution Number: HB 1107

JOINT AUTHOR AUTHORIZATION

As primary author of HB 1107 I hereby authorize the following joint author(s):
(bill or resolution #)

Joe Pickett
printed name of joint author #1

[Signature]
signature of joint author #1

APR 14 2005

printed name of joint author #2

signature of joint author #2

printed name of joint author #3

signature of joint author #3

printed name of joint author #4

signature of joint author #4

Norma Chavez
signature of primary author

4/13/05
date

**A BILL TO BE ENTITLED
AN ACT**

By:

Norma Chazy

relating to procedures for obtaining relief from local matching funds requirements for highway projects.

FEB 15 2005

Filed with the Chief Clerk

FEB 16 2005

Read first time and referred to Committee on **Transportation**

~~MAR 31 2005~~

Reported ___favorably (_____)
(as substituted)

APR 01 2005

Sent to Committee on (b) (6)
(Local & Consent Calendars)

APR 14 2005

Read second time (comm. subst.) (~~amended~~); passed to third reading (~~failed~~) by a (non-record vote) (~~record vote of~~ yeas, nays, present, not voting).

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of _____ yeas, _____ nays, _____ present, not voting _____

APR 14 2005

Read third time (~~amended~~); finally passed (~~failed to pass~~) by a (non-record vote) (~~record vote of~~ ~~yeas~~ ~~noyes~~ ~~present~~ ~~not voting~~)

Engrossed

APR 18 2005

Sent to Senate

Robert Haney
CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

APR 18 2005

Received from the House

APR 19 2005

Read and referred to Committee on **TRANSPORTATION & HOMELAND SECURITY**

MAY 19 2005

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

MAY 24 2005

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(yeas nays)

MAY 24 2005

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays)

MAY 24 2005

Senate and Constitutional 3 Day Rules suspended by a vote of 31 years, 0 nays

MAY 24 2005

Read third time, _____, and passed by (a viva voce vote)
(31 years, 0 days)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

MAY 24 2005

Returned from the Senate (~~substituted~~,
(with amendments)

House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

House conferees appointed: _____, Chair; _____,
_____, _____, _____

Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____

Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)

05 MAR 31 PM 11:26

HOUSE OF REPRESENTATIVES